

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
BETH P. GESNER
UNITED STATES MAGISTRATE JUDGE

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND
101 W. LOMBARD STREET
BALTIMORE, MARYLAND 21201
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2002 DEC 20 P 12: 52

BY FACSIMILE

December 19, 2002

CLERK'S OFFICE
AT BALTIMORE
DEPUTY

RE: Newsome, et al., v. Up-To-Date Laundry, Inc., et al., S-01-2257

MEMORANDUM FOR COUNSEL

Dear Counsel:

As you know, this case was referred to me for resolution of discovery disputes.

I have enclosed a copy of an order I issued today regarding Mr. David Minetree's continued deposition. As noted in the order, counsel for defendant should provide Mr. Minetree with a copy of the order. Subject to the possible continuation of a jury trial beginning on Monday, January 6, 2003, I should be available on Wednesday, January 8, 2003 until approximately 2:30 p.m. should counsel need to contact me to resolve any issues that arise during the course of the deposition.

I understand that Mr. Simon called my chambers yesterday to inquire as to my general policy regarding availability to resolve disputes that may arise in depositions. If such a situation arises, counsel can call my chambers to inquire as to my availability to assist in resolution of the dispute. If I am available, I will make every effort to resolve the dispute over the telephone but, depending on the nature of the dispute, may ask counsel to provide me with written submissions. If I am unavailable at the time of counsel's call, my chambers will provide you with instructions as to the manner in which I would like to address the dispute.

I was also advised that both counsel called my chambers today to inquire about my resolving a dispute regarding plaintiffs' counsel's continued access to certain documents. I called you back a few minutes later but understand that Ms. Phelan was called out of the office unexpectedly. If counsel are available tomorrow morning, December 20, at 9:15 a.m., you can call my chambers and I will make myself available to speak with you. If that time is not convenient for you, I would suggest that you each send me a brief letter detailing the dispute and your position. I will not be available for a telephone conference next week so if you believe that the matter is urgent, please advise my chambers immediately.

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ms

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ms

Memorandum to Counsel

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Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth P. Gesner". The signature is fluid and cursive, with the first name "Beth" and last name "Gesner" clearly distinguishable.

Beth P. Gesner

United States Magistrate Judge

cc: Judge Smalkin
Court File